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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE
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10 ALLSTATE INDEMNITY COMPANY, an
11 Illinois Corp., ALLSTATE PROPERTY
12 AND CASUALTY INSURANCE
13 COMPANY, an Illinois Corp. ,
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15 Plaintiffs,

16 v.
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18 UNA LYONS and JOHN PATRICK
19 LYONS, husband and wife and the marital
20 community comprised thereof; KIMBERLY
21 DIEHL, a single woman,
22

23 Defendants.

CASE NO. 2:17-cv-00511-BAT

**ORDER GRANTING MOTION TO
DISMISS WITH PREJUDICE**

16 On October 31, 2018, Plaintiffs/Counter Defendants Allstate Indemnity Company and
17 Allstate Property and Casualty Insurance Company (collectively “Allstate”) filed a “Notice of
18 Mootness,” notifying the Court that this declaratory judgment action is now moot as the
19 underlying state court case was tried, a defense verdict was rendered, the case was dismissed,
20 and no appeal was filed. Dkt. 29. On November 1, 2018, the Court directed the Clerk to note
21 Allstate’s notice as a motion to dismiss with prejudice on November 23, 2018. Dkt. 30.

22 Defendants/Counter Claimants Una Lyons and John Patrick Lyons and Defendant
23 Kimberly Diehl have filed no opposition to the motion to dismiss.

1 Accordingly, it is **ORDERED**:

- 2 1. Allstate's motion to dismiss with prejudice (Dkt. 29) is **GRANTED**.
- 3 2. The Clerk is directed to enter judgment and send copies of this Order to the
4 parties.

5 DATED this 26th day of November, 2018.

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BRIAN A. TSUCHIDA
Chief United States Magistrate Judge